



TOWN OF DEDHAM  
ZONING BOARD OF APPEALS  
26 BRYANT STREET  
DEDHAM, MA 02026-4458  
P: 781-751-9242 F: 781-751-9225  
[swebster@dedham-ma.gov](mailto:swebster@dedham-ma.gov)

## APPLICATION FOR HEARING

OFFICE STAMP

TOWN CLERK STAMP

Case Number	Hearing:	Fee:	1 <sup>st</sup> Ad	2 <sup>nd</sup> Ad	List to Assessors <input type="checkbox"/>
VAR-		\$			Mailed to Abutters <input type="checkbox"/>

**APPLICATIONS WILL BE RETURNED IF REQUIRED INFORMATION IS MISSING.**  
**SEE CHECKLIST FOR REQUIRED INFORMATION**

- Payment must accompany this application.
- **A certified plot plan is required**; this shows exact measurements of your property. Mortgage plans are not acceptable.
- The Zoning Board of Appeals checks with the Collector of Taxes to ensure that all taxes, fees, or municipal charges are paid in full. The Applicant is required to pay them. If they are not paid, the Board will not hear the petition.

### PROPERTY INFORMATION

Applicant: ✓

Address: ✓

Property Owner: ✓

Phone Number: ✓

Cell Number: ✓

E-Mail: ✓

Map and Lot ✓

Overlay District(s) ✓

Applicant's Address: ✓

IF THE APPLICANT IS A TENANT, IS A LETTER FROM LANDLORD PROVIDED? YES ☐

Zoning District: SRA ☐ SRB ☐ GR ☐ CB ☐ LB ☐ GB ☐ HB ☐ LMA ☐ LMB ☐ RDO/AP ☐ PC ☐

Please indicate the contact information for any attorney/agent/architect/engineer who will represent this application.  
If there is more than one person, please attach a sheet listing this information.

Name: ✓

Phone: ✓

Cell: ✓

E-Mail: ✓

Address: ✓

### APPLICATION FEES

Residential: \$50.00

Commercial: \$175.00

Advertising: Determined and billed by the *Dedham Times*

Please complete all areas marked with a ✓.

**PETITION (check all that apply) ✓**VARIANCE ☐SPECIAL PERMIT ☒WAIVER ☐EXTENSION OF APPROVAL ☐

To be allowed ✓

Statement of Hardship:

Section of Zoning Bylaw: ✓

**ZONING DATA**

If requesting a variance, refer to the attached Town of Dedham Zoning Bylaw, Section 4.1, Table of Dimensional Requirements on the Town of Dedham website ([www.dedham-ma.gov](http://www.dedham-ma.gov))

	EXISTING CONDITIONS*	PROPOSED*	(Office Use)
Use (i.e., single family dwelling, two-family dwelling, commercial)			
# Dwelling Units	Units	Units	
Lot Area	Square feet	Square feet	
Front Yard Setback	Feet	Feet	
Rear Yard Setback	Feet	Feet	
Left Side Yard Setback	Feet	Feet	
Right Side Yard Setback	Feet	Feet	
Frontage	Feet	Feet	
Space Between Buildings (if erected, moved, or added after January 22, 1990)	Feet	Feet	
Pervious Area	%	%	
Lot Coverage	%	%	
Other (specify)			

\* Fill in both columns. Numbers must match those on the plans and attached documentation

Please complete all areas marked with a ✓.

**REQUIRED SIGNATURES - NO APPLICATION WILL BE ACCEPTED WITHOUT THE REQUIRED SIGNATURES**

**OWNER SIGNATURE**

As owner, I make the following representations:

1. I hereby certify that I am the owner of the property at \_\_\_\_\_.
2. I hereby certify that I have authorized the Applicant and/or his attorney named on this application form to develop/and or use the property listed above for the purposes indicated in this application.
3. I authorize the members of the Zoning Board of Appeals to conduct site visits on my property.

✓

Signature of Owner

✓

Date

**APPLICANT SIGNATURE** (If the applicant is also the owner, the owner should also sign below):

As the Applicant, I make the following representations:

1. The information supplied on and with this application is accurate to the best of my knowledge.
2. I will pay the fees associated with advertising this hearing to the *Dedham Times*.
3. I hereby certify that the agent/attorney/architect/engineer listed on this application form has been authorized by me to represent me before the Zoning Board of Appeals as it relates to the petition noted on this form.

✓

Signature of Applicant

✓

Date

**AGENT/ATTORNEY/ARCHITECT/ENGINEER SIGNATURE**

I make the following representations:

1. I hereby certify that the Applicant has authorized me to represent the application at the hearing.

✓

Signature of Agent/Attorney/Architect/Engineer

✓

Date

All areas marked with a ✓ must be completed.

**SIGNATURES IN SUPPORT OF PETITION (This form is provided as a courtesy to applicants.)**

This form may be used in obtaining signatures in support of the petition. It is recommended, but not required.

We, the undersigned neighbors of \_\_\_\_\_, support his/her petition before the Zoning Board of Appeals.

[illegible]

## APPLICATION AND APPEAL PROCESS

The Zoning Board of Appeals process is governed by the Commonwealth of Massachusetts under Chapter 40A of the Massachusetts General Laws. The Town of Dedham must follow these rules and regulations.

1. The applicant should meet with the Building Department to determine if they need to apply for relief to the Zoning Board of Appeals. The applicant should also meet with the Planning Director, neighbors, or applicable staff for review of the draft application.
2. The completed ZBA application and seven (7) copies of all materials are submitted to the Administrative Assistant in the Planning Office at Town Hall. The application is again reviewed by the Building Commissioner to ensure that proper relief is being requested, explanation of hardship is noted, and the correct section(s) of the Zoning Bylaw are cited. All copies are stamped in by the Town Clerk.
3. A list of abutters within 300 feet of the property is obtained from the Assessors office. Legal notices of the hearing are mailed to the Applicant, the Attorney or Agent, abutters, and surrounding towns. Legal notices are published in the *Dedham Times* for two consecutive weeks. All applications are open to the public for review.
4. ZBA Hearing: The applicant attends and presents the application to the Board, who typically votes to approve, deny, or continue the hearing. The Board consists of five members plus two associate members who fill in for any member who cannot be present. There are times when there are only four members sitting on a hearing, in which case the vote would need to be unanimous. The applicant is then advised that he/she may choose to continue the hearing to a later date.
5. After the hearing, the Administrative Assistant writes minutes of the meeting and a formal decision. The decision is then sent to all voting members of the Board for approval. The ZBA is allowed 100 days to complete the decision, although every attempt is made to complete it as soon as possible.
6. After approval is received, the signed decision is stamped in by the Town Clerk's office. Copies are mailed to the Applicant and the Agent/Attorney. A 20-day appeal period begins the day after it is stamped in at the Town Clerk's office. Abutters and surrounding towns are also notified of the decision. Anyone wishing to appeal the decision must file the appeal, at his/her own expense, with the District Court, Land Court, or Superior Court, 649 High Street, Dedham, MA.
7. After the appeal period, the Applicant must go to the Town Clerk's office for a certificate stating that no one has appealed the decision. The decision and the certificate must be taken to the Registry of Deeds, 649 High Street, Dedham, MA, to be recorded, requiring payment of a fee to them. The receipt must be brought to the ZBA Administrative Assistant and the Building Department. This ends the process with the ZBA, and the Applicant moves on to the Building Department to file the appropriate applications.

## CHECKLIST OF REQUIRED INFORMATION TO BE SUBMITTED WITH APPLICATION

This checklist is provided as a means to ensure that you have submitted all the information required for your petition. Please attach one completed copy with your application.

ITEM	REQUIRED # OF COPIES	PROVIDED
Application	7	<input type="checkbox"/>
Petition Statement (reason for application)	7	<input type="checkbox"/>
Certified, signed plot plan. Mortgage plans are not acceptable.	7	<input type="checkbox"/>
Pictures of existing conditions	7	<input type="checkbox"/>
Renderings of proposed conditions with elevations	7	<input type="checkbox"/>
Renderings of conceptual floor plans	7	<input type="checkbox"/>
Letter of authorization from owner	7	<input type="checkbox"/>
Signed petition from neighbors supporting petition (not required)	7	<input type="checkbox"/>
Complete form for abutters list	1	<input type="checkbox"/>
Completed billing form for the <i>Dedham Times</i>	1	<input type="checkbox"/>
Check made payable to the <i>Town of Dedham</i>	1	<input type="checkbox"/>

## FURTHER INFORMATION

### 1. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED, AND WILL BE RETURNED.

- The *Dedham Times* will bill the applicant for the legal notice advertisements. If you have questions, call 781-329-5333 or e-mail them at [dtimes@rcn.com](mailto:dtimes@rcn.com).
- The Building Department can assist you with questions and in determining if you need to go to the Zoning Board of Appeals. They are not further involved in the petition until a written decision is filed with the Town Clerk, the 21-day appeal period has expired, and the decision has been filed with the Norfolk County Registry of Deeds.
- All decisions are filed with the Town Clerk as legal documents.** The date your decision was filed with the Town Clerk will be indicated on the stamp on your copy of the decision. There is a 20-day period in which anyone can appeal the decision. This begins the day after your decision was filed with the Town Clerk. You should pick up a certification letter from the Town Clerk's office after the appeal period is over. This letter states that no one has appealed the decision. The fee is \$5.00.
- You should file the certification letter with the Norfolk County Registry of Deeds. The fee, subject to change, is \$76.00. **The Dedham Building Department will not issue a building permit unless you have evidence that this decision has been filed with the Norfolk County Registry of Deeds or Land Court.**
- You must then send or bring a copy of the receipt from the Registry of Deeds to the Zoning Board of Appeals to complete your file. Once you have done that, you may then go to the Building Department to obtain your permits.
- Variances are good for one year and Special Permits for two years.**

## BOARD OF APPEALS 2017 MEETING SCHEDULE

MEETING DATE	SUBMISSION DEADLINE	1ST AD	2ND AD
January 18, 2017	December 9, 2015	December 16, 2016	December 23, 2016
February 15, 2017	January 13, 2017	January 20, 2017	January 27, 2017
March 15, 2017	February 10, 2017	February 17, 2017	February 24, 2017
April 19, 2017	March 16, 2017	March 24, 2017	March 31, 2017
May 17, 2017	April 14, 2017	April 21, 2017	April 28, 2017
June 21, 2017	May 19, 2017	May 26, 2017	June 2, 2017
July 19, 2017	June 16, 2017	June 23, 2017	June 30, 2017
August 16, 2017	July 14, 2017	July 21, 2017	July 28, 2017
September 20, 2017	August 18, 2017	August 25, 2017	September 1, 2017
October 18, 2017	September 15, 2017	September 22, 2017	September 29, 2017
November 15, 2017	October 13, 2017	October 20, 2017	October 27, 2017
December 13, 2017	November 10, 2017	November 17, 2017	November 24, 2017
January 17, 2018	December 8, 2017	December 15, 2017	December 22, 2017

The locations for meetings will be posted on the agendas. If a meeting date and submission deadline are changed for any reason, it will be noted on the Zoning Board of Appeals meeting page of the Town website ([www.dedham-ma.gov](http://www.dedham-ma.gov)).

**NO APPLICATION WILL BE ACCEPTED BEYOND THE SUBMISSION DATE.**

# TABLE OF DIMENSIONAL REQUIREMENTS

## Zoning Bylaw Section 4.1

	SRA	SRB	GR	LMA/LMB RDO/AP <sub>4</sub>	HB	LB	GB	CB
Minimum Frontage (ft.)	125 <sup>13</sup>	95	*1	150 <sup>4</sup>	200 <sup>4</sup>	N/A	N/A <sup>9</sup>	N/A <sup>9</sup>
Minimum Lot Area (sq. ft.)	40,000	12,500	*1	1 acre <sup>4</sup>	1 acre <sup>4</sup>	12,500	N/A <sup>9</sup>	N/A <sup>9</sup>
Minimum Lot Width as % required								
Minimum Frontage	70 <sup>12 + 13</sup>	70 <sup>12</sup>	*1 <sup>12</sup>	70	70	70	N/A <sup>9</sup>	N/A <sup>9</sup>
Minimum Front Yard (ft.)	25	25	20	30 <sup>11</sup>	30	20	*2	*2
Minimum Side Yard (ft.)	25 <sup>5</sup>	15 <sup>5</sup>	15 <sup>5</sup>	15 <sup>11</sup>	20	15 <sup>6</sup>	N/A	N/A
1-st. Det. Accessory Building	5	5	5	15	15	5	N/A	N/A
Minimum Rear Yard (ft.)	25 <sup>5</sup>	25 <sup>5</sup>	25 <sup>5</sup>	25 <sup>11</sup>	25	25	N/A	N/A
1-st. Det. Accessory Building	5	5	5	25	25	20 <sup>7</sup>	N/A	N/A
Maximum Lot Coverage <sup>8</sup> (%)	30	30	30	50	40	40	80	80
Maximum Floor Area Ratio	15 <sup>14</sup>	.5 <sup>14</sup>	0.9	.35 <sup>10</sup>	0.35	0.4	0.4	2.4
Space between Buildings (ft.) for buildings erected, moved, or added after January 22, 1990	10	10	10	15	15	10	15	N/A

- Dimensional requirements for each planned residential or commercial development to be specified in the Special Permit.
- If a semi-detached or multi-family dwelling occupies several lots in the same ownership, this Table of Dimensional Requirements shall apply as if such lots constituted a single lot.



## FOOTNOTES TO TABLE OF DIMENSIONAL REQUIREMENTS

### NOTES:

- \*1. (Applies to GR General Residence District): Frontage: 50 ft., except 90 ft. for a two-family home, and 30 ft. per dwelling unit in a row house; Lot Width at front and rear building lines: 90 ft., except 50 ft. for a single family use, and 30 ft. per dwelling unit in a row house; Lot Area: 11,000 sq. ft., except 7,500 sq. ft. for a single-family home, and 5,000 sq. ft. per dwelling unit in a row house.
- \*2. 10 ft. for any part of a building within 200 ft. of a residence district boundary abutting on the same street, measured parallel to said street, and 20 ft. from Ames St. north of Charles River, Washington St. north of Wigwam Brook, and Court St.
- \*3. If a semi-detached or multi-family dwelling occupies several lots in the same ownership, this Table of Dimensional Requirements shall apply as if such lots constituted a single lot.
- \*4. Minimum lot frontage and area shall not apply to any lot recorded by plan or deed in the Norfolk Registry of Deeds or filed with the Land Court prior to passage of Article 57 of the 1973 Town Meeting, if in an RDO district, or Article 40 of the 1963 Town Meeting, if in an LMA, LMB, RDO, or HB district.
- \*5. In SRA, SRB, and GR districts, the required minimum side yard shall be 10 ft. and the required minimum rear yard shall be 20 ft. for any lot established by a recorded plan or deed prior to adoption of Article 12 of the 1989 Annual Town Meeting.
- \*6. In LB districts, no side or rear yard shall be required for buildings on lots established by plan or deed before January 1, 1970.
- \*7. The minimum 20 ft. rear yard in LB districts applies to dwellings only.
- \*8. Lot coverage applies to buildings and structures, and not to paved ground level surfaces.
- \*9. GR dimensional regulations apply to one- and two-family dwellings located in CB and GB districts, including Note \*1, provided that the Board of Appeals may grant exceptions from such requirements by Special Permit, for lots established by plan or deed recorded before 1/1/95, if compliance would entail practical difficulties and the exception would have no adverse effect on nearby properties.
- \*10. In the RDO district, the Planning Board may, by Special Permit, grant an increase in Floor Area Ratio to 0.40 for projects which have frontage on a major highway and which will result in the consolidation of two or more lots, upon determination by the Board that the resulting development will better serve traffic safety and visual clarity than would development on the existing lots at the otherwise allowable floor area ratio.
- \*11. In addition, in the RDO district, no portion of a building for a use not allowed in a Single or General Residence district shall be closer to such district than forty (40) feet or, if greater, the height of that building.
- \*12. The minimum lot width for the required front yard in the SRA, SRB, and GR districts shall be equal to the minimum frontage requirement.
- \*13. 150 ft. in the SRA district for lots created after the adoption of Article 24, at the Town Meeting, April 10, 2000.
- \*14. These Floor Area Ratios apply only to one- and two-family residential dwellings.

Zoning Board of Appeals Members  
James F. McGrail, Esq., Chairman  
J. Gregory Jacobsen  
Scott M. Steeves  
E. Patrick Maguire, LEED AP  
Jason L. Mammone, P.E.

Jessica L. Porter, Associate  
Jared F. Nokes, J.D., Associate



Susan Webster  
Administrative Assistant  
781-751-9242  
Fax 781-751-9225  
[swebster@dedham-ma.gov](mailto:swebster@dedham-ma.gov)

## **ZONING BOARD OF APPEALS APPLICATION FOR ABUTTERS LIST**

**APPLICATION WILL BE PROCESSED BY ASSESSORS' OFFICE WITHIN  
TEN (10) DAYS OF RECEIPT.**

**Name of Applicant** \_\_\_\_\_

**Property Owner** \_\_\_\_\_

**Property Address** \_\_\_\_\_

**Map** \_\_\_\_\_ **Lot** \_\_\_\_\_

**Legal Representative (if any)** \_\_\_\_\_

**Purpose for List** **Zoning Board of Appeals hearing**

All contiguous parcels under the same common ownership will be considered as one parcel for the purpose of determining the abutters.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant/ Representative/Attorney  
or  
Zoning Board of Appeals Administrative Assistant

Scheduled Date of Hearing: \_\_\_\_\_

Please complete all areas marked with a ✓.

THE DEDHAM TIMES  
395 WASHINGTON STREET  
DEDHAM, MA 02026  
Phone: 781-329-5333  
Fax: 781-329-8291  
E-Mail: [dtimes@rcn.com](mailto:dtimes@rcn.com)

DATE: \_\_\_\_\_  
TO: *The Dedham Times*  
RE: Zoning Board of Appeals Legal Ad  
PROPERTY: \_\_\_\_\_

I hereby authorize *The Dedham Times*, who determines the cost, to bill me directly for the legal notices placed by the Town of Dedham to be published on:

\_\_\_\_\_ and \_\_\_\_\_

NAME \_\_\_\_\_  
SIGNATURE \_\_\_\_\_  
BILLING ADDRESS \_\_\_\_\_  
BILLING PHONE NUMBER\* \_\_\_\_\_  
DAYTIME PHONE NUMBER\* \_\_\_\_\_  
E-MAIL ADDRESS\* \_\_\_\_\_  
DATE OF HEARING \_\_\_\_\_  
TIME OF HEARING \_\_\_\_\_

\* Required by the Dedham Times prior to publication.